IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No. 22640 of 2004

Between:

Pulusu Rajya Lakshmi, D/o. Subbarayudu,
R/o. Rudrakota Village, Kavali Mandal, Nellore District.

..... PETITIONER

AND

1 The District Collector, Nellore, Nellore District.
2 The Revenue Divisional Officer, Kavali, Nellore District.
3 The Mandal Revenue Officer, Kavali, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an appropriate order Writ or direction more particularly one in the nature of Writ of Mandamus, to declare the impugned notice bearing Rc.B.1779/2004 dt. 20-11-2004 issued by the 3rd respondent as illegal, arbitrary and unjust and consequently set aside the same.

Counsel for the Petitioner: Mr.V.R.MACHAVARAM

Counsel for Respondents : G.P. FOR REVENUE

The Court at the stage of admission, made the following :

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue for the respondents and with their consent, the writ petition itself is being disposed of finally at the stage of admission.

The petitioner who claims to be D-Form patta holder of land situated in Sy.No.599/P admeasuring Ac.4-57 cents in Rudrakota village, Kavali Mandal, Nellore district, filed the present writ petiton contending that the third respondent issued impugned show cause notice dated 20.11.2004 proposing to cancel the assignment pattas granted in his favour, to which, the petitioner has already submitted his explanation/ representation dated 2.12.2004. The grievance of the petitioner in this writ petiton is that without considering his explanation/representation and without passing final orders, the respondents are trying to evict the petitioner from the land in question.

Having regard to the facts and circumstances of the case, I deem it appropriate to direct the respondents to consider the representation of the petitioner dated 2.12.2004 and pass appropriate orders before passing any orders of eviction. Till such time, Status quo shall be maintained.

The writ petition, with the above directions, is accordingly disposed of. No costs.

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N.V.RAMANA, J

Date: 8.12.2004

Note: C.C. tomorrow.

B/o

DA

To

1 The District Collector, Nellore, Nellore District.
2 The Revenue Divisional Officer, Kavali, Nellore District.
3 The Mandal Revenue Officer, Kavali, Nellore District.

4 Two CCs to the G.P. for Revenue, High Court Buildings,

Hyderabad (OUT).

5 Two CD copies.